

MAR 29 2006

J. DAVID NAVARRO, Clerk
By MELANIE ANDERSON
DEPUTY

LAWRENCE G. WASDEN
Attorney General

JOSEPH B. JONES
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031
Telephone: (208) 332-8000
Facsimile: (208) 332-8099
Idaho State Bar #2768

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO, DEPARTMENT OF)
FINANCE, SECURITIES BUREAU,)

Plaintiff,)

vs.)

PHILIP GARNER OLESON, and)
DAVID ABRAM HIGGINBOTHAM,)

Defendants.)
_____)

Case No. CV OC 0408610D

JUDGMENT

This Court, having reviewed the Stipulation and Consent To Entry of Judgment entered into between the Plaintiff and Defendant Philip Garner Oleson, and good cause appearing therefore, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. The terms of the Stipulation and Consent to Entry of Judgment entered into between the Plaintiff and Defendant Philip Garner Oleson are hereby made an Order and Judgment of this Court. The Stipulation and Consent to Entry of Judgment is attached hereto as Exhibit A and incorporated herein this Judgment.

2. Defendant Philip Garner Oleson is permanently enjoined from engaging in any acts, practices, courses of business, omissions, and misrepresentations which would constitute violations of the Idaho Securities Act, Title 30, Chapter 14, Idaho Code.

3. Defendant David Philip Garner Oleson is permanently enjoined from engaging in any of the following acts and conduct:

While engaged in or in connection with the offer, sale or purchase of any security:

- a. Employing any device, scheme or artifice to defraud any investors or prospective investors;
- b. Making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading;
- c. Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.
- d. Defendant Philip Garner Oleson is prohibited from claiming the availability of, using, or offering or selling securities under any exemptions under the Idaho Uniform Securities Act (2004) without

receiving the prior written consent of the Director of the Idaho Department
of Finance.

DATED this 29th day of March, 2006

CHERI C. COPSEY

15/

District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 2006, I served a true and
correct copy of the foregoing Judgment on the following by the designated means:

David Myers
950 East Paces Ferry Road, Ste 3000
Atlanta, Georgia 30326

☒ U.S. mail, postage prepaid
☐ Certified mail
☐ Facsimile

Joseph B. Jones
P.O. Box 83720
Boise, Idaho 83720-0031



MELANIE ANDERSON